IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 6676 of 2005

Between:

R.V.K. Rajendra Varma S/o Sri Rama Raju
Working as Secondary Grade Teacher in

Sri Vivekananda Oriental Primary School,
NGO Colony, Nellore

..... PETITIONER

AND

1 The Government of A.P., rep by Principal Secretary,

School Education, Secretariat Buildings, A.P. Hyderabad
2 The Commissioner & Director of School Education,

A.P., Hyderabad
3 The District Educational Officer, Nellore District at Nellore

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ, order or direction more in the nature of Mandamus or any other appropriate Writ declaring the action of the 1st and 2nd respondents in not approving the post of SGBT held by the petitioner and not admitting the said post into grant in aid as per the reports of DEO, Deputy E.O. and M.E.O, Nellore as illegal, arbitrary, and contrary to the provisions of the A.P. Education Act and consequentially to direct the 1st and 2nd respondents to ratify the post of SGBT (Secondary Grade Teacher) held by the petitioner and admit the same into grant-in-aid w.e.f. 1993 with all consequential benefits and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of this case.

Counsel for the Petitioner: MR.K.ANANDA RAO

Counsel for the Respondent Nos.1 to 3: GP FOR SCHOOL EDUCATION

The Court at the admission stage made the following:

ORDER:

Declaring the action of respondents 1 and 2 in not approving the post of SGBT held by the petitioner and not admitting the said post into grant-in-aid as per the report of the District Educational Officer, Nellore, as illegal and arbitrary, the present writ petition is filed.

Heard the learned Counsel for the petitioner and the learned Government Pleader for School Education.

Respondents 1 and 2 have to take appropriate decision in pursuance of the report submitted by the 3rd respondent-District Education Officer, dated 21.10.2002.

Therefore, without entering into the merits of the case, I deem it appropriate to dispose of the writ petition, with a direction to the respondents 1 and 2, to take appropriate decision on the report submitted by the 3rd respondent-District Educational Officer, dated 21.10.2002, in accordance with law, rules and regulations, within a period of 2 (two) months from the date of receipt of a copy of this order.

With the above directions, the Writ Petition is disposed of. No order as to costs.

Dated: 29.03.2005

Dsr

Note:

Issue CC in three days

B/o

Dsr

ASSISTANT REGISTRAR

To:

1. The Principal Secretary,

School Education, Govt. of A.P.,

Secretariat Buildings, Hyderabad

2. The Commissioner & Director of

School Education, A.P. Hyderabad

3. The District Educational Officer,'

Nellore District at Nellore

4. Two CCs to the Government Pleader

for School Education, High Court Buildings,

Hyderabad (OUT)

5. Two CD copies